

Message Text

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ACTION L-03

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-10 EA-09 EUR-12 NEA-10

OIC-02 CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00

NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 FRB-01 OMB-01

TAR-01 AGR-10 AID-05 COME-00 EB-07 LAB-04 SIL-01

STR-04 TRSE-00 CIEP-02 CEA-01 DHA-02 ORM-02 ACDA-10

SCCT-01 CU-04 /172 W

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UNCLAS USUN 6850

E.O. 11652: N/A

TAGS: UN, PFOR, ILC, UNCITRAL

SUBJECT: UNGA LEGAL COMITE: PLENARY CONSIDERATION OF LEGAL COMITE
ITEMS

SUMMARY. PLENARY CONCLUDED ALL LEGAL COMITE ITEMS MON
DEC 15. ALL LEGAL COMITE RECOMMENDATIONS WERE ADOPTED WITHOUT
OBJECTION, EXCEPT FOR LATTER WHICH WERE ADOPTED BY VOTE:
UNCITRAL RESOLUTION, 121-0-3(US, UK, FRG), AND RESOLUTION ON
SUCCESSION OF STATES IN RESPECT OF TREATIES, 95(US)-0-28
(UK, USSR). END SUMMARY.

1. DURING AM AND PM MEETINGS MON DEC 15, PLENARY CONSIDERED
RECOMMENDATIONS OF LEGAL COMITE ON ALL ITEMS WHICH HAD BEEN
BEFORE LEGAL COMITE IN THIRTIETH GA. FOLLOWING REPORTS
PLENARY RESULTS.

2. REPORT OF THE UN COMMISSION ON INTERNATIONAL TRADE LAW
(UNCITRAL). DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN
6178) WAS ADOPTED BY PLENARY BY VOTE OF 120-0-3(US, UK,
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FRG). THERE WERE NO EXPLANATIONS OF VOTE.

3. REPORT OF THE INTERNATIONAL LAW COMMISSION (ILC). DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 6261) WAS ADOPTED BY PLENARY WITHOUT OBJECTION. NO EXPLANATIONS OF VOTE.

4. SUCCESSION OF STATES IN RESPECT OF TREATIES. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 6613) WAS ADOPTED BY PLENARY BY VOTE OF 95(US)-0-28(UK, EES, AND SOME WEOS). CYPRIOT DELEGATE (ROSSIDES) MADE EXPLANATION BEFORE VOTE WHICH EXPRESSED ROSSIDES' PREFERENCE FOR CURRENT TEXT OVER ORIGINAL UK PROPOSAL WHICH WAS DEFEATED IN LEGAL COMITE. UK PROPOSAL WOULD HAVE REFERRED DRAFT ARTICLES ON SUCCESSION OF STATES TO ILC FOR FURTHER STUDY. ROSSIDES BELIEVED ILC SHOULD NOT BE DIVERTED FROM CONTINUING ITS WORK ON DRAFT ARTICLES ON STATE RESPONSIBILITY.

4. DIPLOMATIC ASYLUM. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 5860) WAS ADOPTED BY PLENARY WITHOUT OBJECTION. NO EXPLANATIONS OF VOTE.

5. REPORT OF COMITE ON HOST COUNTRY RELATIONS. DRAFT RESOLUTION ADOPTED IN LEGAL COMITE WAS ADOPTED WITHOUT OBJECTION. THERE WERE NO EXPLANATIONS OF VOTE.

6. CHARTER REVIEW: REPORT OF AD HOC COMITE ON UN CHARTER AND STRENGTHENING THE ROLE OF THE UN. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 6379) ON SUBJECT ITEMS WAS ADOPTED IN PLENARY WITHOUT OBJECTION. EXPLANATIONS WERE MADE BEFORE ADOPTION BY MAURITIUS, BOLIVIA, SPAIN AND CYPRUS. EXPLANATIONS AFTER THE VOTE WERE MADE BY USSR, FRANCE, UK, US AND CHINA. STATEMENTS OF MAURITIUS, BOLIVIA, CYPRUS SPAIN AND CHINA FAVORED CHARTER REVIEW. MAURITIUS STATEMENT INCLUDED A NUMBER OF GRATUITOUS SLAPS AT THE US AND AMBASSADOR MOYNIHAN AND WAS A GRAB BAG OF IRRELEVANT ASSERTIONS. USSR, UK, FRANCE AND US DELS REITERATED OPPOSITION TO CHARTER REVIEW, AND INDICATED THAT THEIR PARTICIPATION IN CONSENSUS DID NOT INVOLVE A CHANGE IN POSITION. USDEL (MITHCELL) RESPONDED TO MAURITIUS, AND NOTED LATTER'S ASSERTIONS WERE NOT GERMANE TO THE ISSUE AT HAND.

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7. HUMAN RIGHTS IN ARMED CONFLICT--PROTECTION OF JOURNALISTS. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 6527) ON SUBJECT ITEMS WAS ADOPTED BY PLENARY WITHOUT OBJECTION. NO EXPLANATIONS OF VOTE.

8. IMPLEMENTATION OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN

6609) WAS ADOPTED BY PLENARY WITHOUT OBJECTION. NO EXPLANATIONS OF VOTE.

9. TERRORISM. RECOMMENDATION BY LEGAL COMITE TO POSTPONE UNTIL 31ST GA FURTHER CONSIDERATION OF TERRORISM ITEM WAS APPROVED BY PLENARY WITHOUT OBJECTION. ISRAELI DEL EXPLAINED THAT, FOR REASONS PREVIOUSLY EXPLAINED, ISRAEL WAS NOT A PARTY TO THE CONSENSUS. CYPRIOT DEL (ROSSIDES) DECRIED TERRORISM AND STATED THAT THE LAW SHOULD BE DEVELOPED TO DEAL WITH THE PROBLEM. SAUDI ARABIAN DEL (BAROODY) AGREED (AT LENGTH) WITH ROSSIDES.

10. UN PROGRAMME OF ASSISTANCE IN THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW. DRAFT RESOLUTION ADOPTED BY LEGAL COMITE (USUN 6557) WAS ADOPTED BY PLENARY WITHOUT OBJECTION. NO EXPLANATIONS OF VOTE.

11. RESOLUTIONS ADOPTED BY THE UN CONFERENCE ON THE REPRESENTATION OF STATES IN THEIR RELATIONS WITH INTERNATIONAL ORGANIZATIONS. RECOMMENDATION OF LEGAL COMITE TO POSTPONE CONSIDERATION OF ITEM UNTIL 31ST GA WAS ADOPTED BY PLENARY WITHOUT OBJECTION.
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